

Introduced by Senator Berryhill

February 18, 2011

An act to add Section 51282.6 to the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

SB 648, as introduced, Berryhill. Local government: Williamson Act.

Existing law, the Williamson Act, authorizes a city or county to enter into 10-year contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Existing law sets forth procedures for cancellation of a contract by a landowner, including the payment of cancellation fees, as specified.

This bill would provide an alternative method of cancellation of a contract by a landowner for contracts that are 10 or more years old, and where the landowner has not received a lowered assessment value on the land during the previous 10 consecutive years based on the existence of a residence, including agricultural laborer housing, on the land being valued. The bill would require the board or council, upon petition by the landowner and a showing that these conditions exist, and would prohibit the board or council from charging a cancellation fee.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51282.6 is added to the Government
2 Code, to read:
3 51282.6. (a) A landowner may petition the board or council
4 for cancellation of a contract that has been in place 10 or more
5 years if the landowner has not received a lowered assessment value
6 on the land subject to the contract, pursuant to Article 1.5
7 (commencing with Section 421) of Part 2 of Division 1 of the
8 Revenue and Taxation Code and this chapter, for the 10 prior
9 successive years because the assessor has excluded all or part of
10 the land subject to contract pursuant to Section 428 of the Revenue
11 and Taxation Code.
12 (b) Upon petition, and a showing by the landowner that
13 subdivision (a) applies, the board or council shall approve the
14 cancellation of the contract. Section 51283 shall not apply to any
15 cancellation under this section. The board or council shall not
16 charge a cancellation fee.

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